GOVERNMENT OF THE DISTRICT OF COLUMBIA BOARD OF ZONING ADJUSTMENT



Appeal No. 15129, of Richard B. Nettler on behalf of the Woodland-Normanstone Neighborhood Association, pursuant to 11 DCMR 3200.2 and 3105.1, from the decision of Hampton Cross, Administrator, Building and Land Regulation Administration, and Joseph Bottner, Zoning Administrator, made on April 4, 1989, to the effect that development of Lots 37 and 38 in Square 2140 comply with the Zoning Regulations for the construction of single-family dwellings in an R-1-A District at premises 2804 and 2808 Woodland Drive, N.W., (Square 2140, Lots 38 & 38).

Appeal No. 15136, of Phil Mendelson on behalf of Advisory Neighborhood Commission 3C, pursuant to 11 DCMR 3200.2 and 3105.1, from the decision of the Zoning Administrator, Joseph Bottner, Department of Consumer and Regulatory Affairs, made on June 17, 1988, and subsequently, to the effect that the subdivision and development of former Lot 33 into 7 new lots complies with the Zoning Regulations for the construction of single-family dwellings in an R-1-A District at premises 2805 and 2815 Normanstone Drive, 2804 and 2808 Woodland Drive and 2600, 2610, and 2620 Rock Creek Drive, N.W., (Square 2140, Lots 37, 38, 41, 42, 43, 45 and 46).

HEARING DATES: September 27, 1989, and October 4, 1989

MEETING DATE: November 15, 1989

ORDER GRANTING STAY

This matter is before the Board on the Joint Motion of Appellants for an Emergency Stay. Having considered the joint motion and the response thereto and having heard advice from the Executive Director of the Zoning Secretariat about the legal criteria that apply to consideration of a stay, the Board concludes that, pursuant to D.C. Code Sec. 5-524(g)(4)(1988), the Board has authority to stay construction, just as the Zoning Administrator has authority to stop work pursuant to a permit, and that a brief stay until the date on which the Board is scheduled to decide this matter, that is, December 6, 1989, is in the public interest and will not cause any irreparable injury to intervenor. Accordingly, the Board hereby ORDERS that further construction on Lot 46, Square 2140, be STAYED until close of business (4:45 p.m.) on December 6, 1989.

EZA ORDER 15129&15136 STAY ORDER Page 2

This ORDER shall be final and effective immediately upon execution by the Executive Director of the Zoning Secretariat on behalf of the Board.

VOTE:

3-2 (Maybelle Taylor Bennett, Paula L. Jewell and Charles R. Norris to grant; William F. McIntosh to deny; Carrie L. Thornhill to deny by proxy).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:

EDWARD L. CURRY Executive Director Zoning Secretariat

FINAL DATE OF STAY ORDER:

NOV 2 1 1989

15129&15136stay/BJW41

GOVERNMENT OF THE DISTRICT OF COLUMBIA BOARD OF ZONING ADJUSTMENT



APPLICATION No. 15129 & 15136

As Executive Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that a copy of the Order of the Board in the above numbered case, said Order dated 2/000, has been mailed postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

Richard B. Nettler, Esq.
Gordon, Feinblatt, Rothman, Hoffberger & Hollander
1800 K Street, N.W., Suite 600
Washington, D.C. 20006

Phil Mendelson, Chairperson Advisory Neighborhood Commission 3-C 2737 Devonshire Place, N.W. Washington, D. C. 20008

C. Francis Murphy, Esquire Wilkes, Artis, Hedrick & Lane 1666 K Street, N.W., Suite 1100 Washington, D.C. 20006

Lawrence N. Brandt Woodland Limited Partnership 3201 New Mexico Avenue, N.W. Washington, D.C. 20016

Linda Sher Woodland-Normanstone Neighborhood Assn. 2810 McGill Terrace, N.W. Washington, D.C. 20008

EDWARD L. CURRY
Executive Director
Zoning Secretariat

DATE: NUV 2 | 1990